



Students with Dual Labels





Students with Dual Labels: English Language Learner and Special Education

- English language learners (ELLs) with disabilities have unique learning needs and challenges, because of the of the interaction of their disability with learning a new language.
- The disability and language learning are intertwined and it is sometimes difficult to determine the difference between the level of English proficiency and disability issues.



ACRONYMS

- EEOA – Equal Educational Opportunity Act
- ESEA – Elementary and Secondary Education Act
- FAPE – Free Appropriate Public Education
- IDEA – Individuals With Disabilities Education Act
- IEP – Individualized Education Program
- **ILLP – Individual Language Learner Plan**
- **LEP – Limited English Proficient**
- LRE – Least Restrictive Environment



LEGAL OBLIGATIONS



Students with Dual Labels: English Language Learner and Special Education

English Language Learners

- Who have an IEP
- Are legally entitled to services
 - ✓ English Language Learner Program
 - ✓ Special Education Program

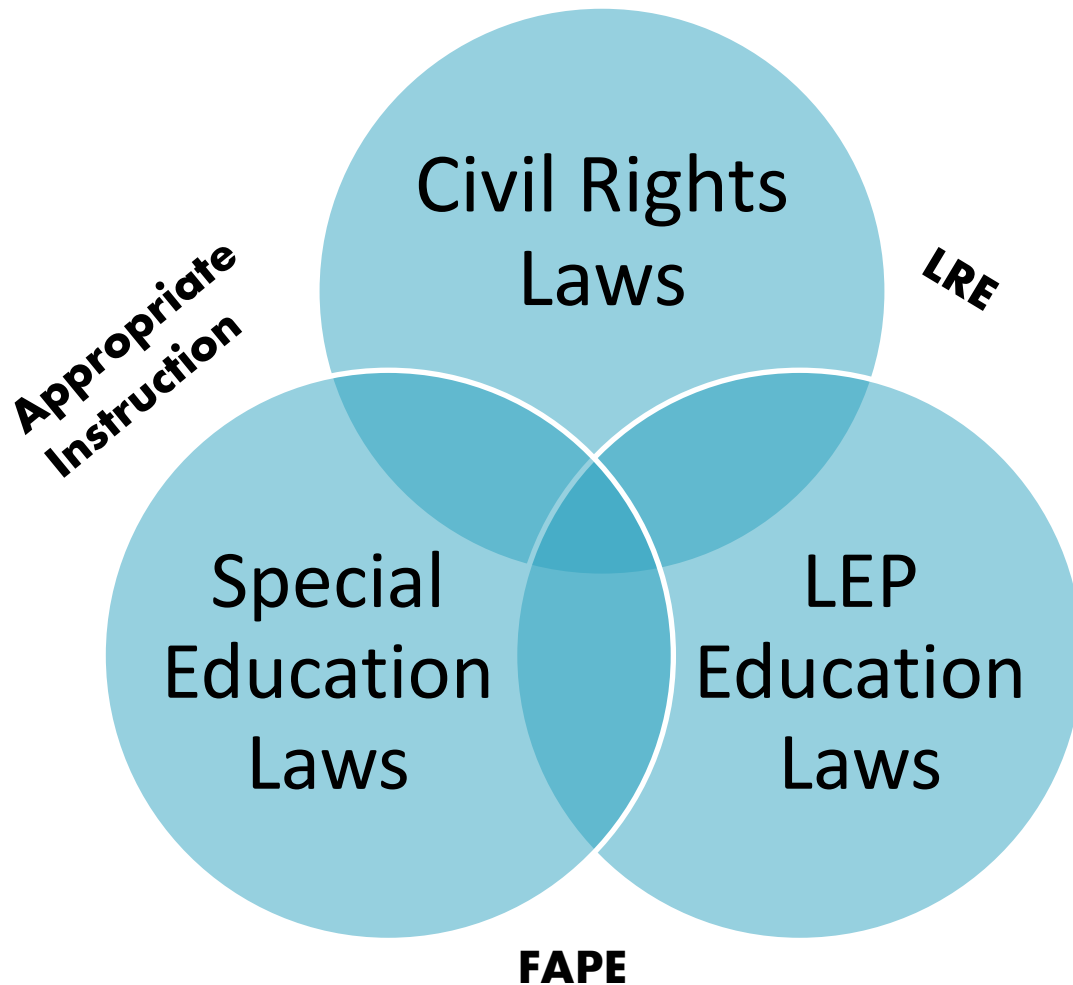


Laws that Address ELLs with Disabilities

Federal and State Laws:

- Laws that pertain to language instruction for limited English proficient (LEP) students
- Laws that pertain to providing special education services
- Civil Rights Laws

Federal Laws and Entitlements for ELL Students with Disabilities



No Child Left Behind Act of 2001

Title III Language Instruction for Limited English Proficient and Immigrant Students

Sec. 3212 Program Enhancement Activities

(a)(2)(B)(vii): assisting limited English proficient children with disabilities

Sec. 3213 Comprehensive School and Systemwide Improvement Activities

(a)(3)(H): assisting limited English proficient children with disabilities

Sec. 3214 Application

(h)(3)(B): limited English proficient children with disabilities will be identified and served through the program in accordance with the requirements of the Individuals with Disabilities Education Act (IDEA)

Sec. 3217 Evaluations

(c)(2): disaggregate the results of the evaluation by gender, native languages spoken by children, socioeconomic status, and whether the children have disabilities



Individuals with Disabilities Education Act

34 CFR § 300.324(a)(2)(ii)

(2) Consideration of special factors. The IEP Team must—

(ii) In the case of a child **with limited English proficiency**, consider the language needs of the child as those needs relate to the child's IEP;



Arizona Revised Statutes

15-751 — 15-757

English Language Education for Children in Public Schools

15-752 English language education

... all children in Arizona public schools shall be taught English by being taught in English and all children shall be placed in English language classrooms. ... Foreign language classes for children who already know English shall be completely unaffected, as shall special educational programs for physically- or mentally-impaired students.

15-755 Standardized testing for monitoring education progress

All students with disabilities shall be included in all general state and district assessments, with appropriate accommodations and alternate assessments where necessary and as indicated in their respective individualized education program, in accordance with 20 United States Code section 1412.

Arizona Administrative Code

R7-2-306 English Language Learner Programs

R7-2-306 (D)

Assessment of students **in special education or in the special education referral process**. If a multidisciplinary evaluation or IEP team finds the procedures prescribed in subsections (B) and (C) **inappropriate for a particular special education student**, the LEA shall employ **alternate procedures** for identifying such students or assessing their English language proficiency. Persons conducting the English language assessment shall participate with the special education multidisciplinary evaluation or IEP team in the determination of the student's English language proficiency designation.



Arizona Administrative Code

R7-2-306 English Language Learner Programs

R7-2-306 (H)

Reassessment of special education students for English language reclassification. If a multidisciplinary evaluation or IEP team finds the procedures prescribed in subsection (G) inappropriate for a particular special education student, the LEA shall employ **alternate procedures** for reassessing the student for purposes of English language reclassification. Persons conducting the English language reassessment shall participate with the special education multidisciplinary evaluation or IEP team in the determination of the student's English language proficiency designation.



ASSESSMENT

Federal Requirements

Assess
ELP of
all ELLs



All SWDs
must be
included in
general State
assessments



All Dual Labeled
students must
be included in
annual ELP
assessments



Federal Requirements Participation in ELP Assessment

- Students with dual labels participate in the ELP assessment as determined by their IEP Teams:
 - a. in the regular ELP assessment with no accommodations,
 - b. in the regular ELP assessment with one or more accommodations as indicated in the IEP;
or
 - c. in an alternate assessment, if the IEP Team determines the student cannot participate in the regular ELP assessment even with accommodations.

AZELLA ASSESSMENT

- AZELLA Testing Conditions and Accommodations
 - <http://www.azed.gov/assessment/azella/>
 - Click Test Coordinator
 - Universal Test Administration Conditions
 - Test Accommodations for Students with Disabilities

AZELLA ASSESSMENT

- Any questions pertaining to the administration of AZELLA
 - ✓ Please contact the Assessment Department
AZELLA Inbox AZELLA@azed.gov



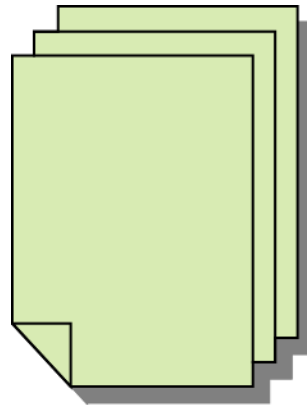
PROGRAMS AND SERVICES

Individualized Education Program (IEP) Team

- The ELL coordinator and/or the ELL teacher is a member of the IEP Team.
 - Makes decisions about what is in the IEP of each ELL with a disability
 - Details about any accommodations needed, or alternate assessment if needed
- Must consider the **language needs** of the child and provide services for those identified needs.
 - Distinguish language proficiency from disability needs
 - Determine language deficiencies and the most appropriate services

Individualized Education Program (IEP)

- Document the IEP Team's decisions with regard to language needs in the student's IEP.
 - Drives the educational program and services
 - Imperative special education teacher(s) and ELL teacher(s) work together



Delivery of Language Services

- The two programs must **collaborate** to determine the **most effective** approach to instruction.
 - Determine how language services will be delivered.
 - ✓ All English language instruction may be delivered in the SEI program.
 - SEI classroom placement for 4 hours of ELD, or
 - Mainstream classroom/ILLP (4 hours)
 - ✓ All English language instruction may be delivered in the special education program.
 - ✓ English language instruction may be split between the special education program and the SEI program.
 - SEI classroom placement for part of the 4 hours of ELD, or
 - Mainstream classroom/partial ILLP

Students with Disabilities in the SEI Classroom

- Teachers need to know:
 - Level of English language proficiency
 - Specific information about the student's disability
 - How the disability impacts learning
 - Effect of the disability on educational performance
 - Accommodations/modifications in the IEP

Students with Disabilities in the SEI Classroom

These students may need accommodations/adaptions due to their disability.

- Use of audio
- Use of visuals
- Preferential seating
- Strategic grouping
- Wait time
- Type of assessment
- Paraphrasing



Students with Dual Labels

- “Withdrawn due to SPED Criteria” in SAIS (Code 7)
 - ✓ This decision is made by the IEP Team.
 - It is evident the student does not have a language need.
 - ✓ Document this decision in the student’s IEP.

Thank You!

